

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:05-CR-0146
	:	
v.	:	(Judge Conner)
	:	
	:	
CREMNE BRANCH	:	
	:	

ORDER

AND NOW, this 8th day of December, 2005, upon consideration of defendant's motion to sever counts for trial (Doc. 56), and of the supplemental brief (Doc. 79) in support, in which defendant avers that the motion "is [] or soon will be [] moot in light of" a second superseding indictment (Doc. 79 at 3),¹ it is hereby ORDERED that the motion to sever counts for trial (Doc. 56) is DENIED as moot without prejudice to defendant's right to file an appropriate motion relevant to the second superseding indictment.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹ Defendant asserts that the second superseding indictment "raises new, and in some ways different pleading issues" than the indictment addressed by the motion *sub judice*. (Doc. 79 at 4).